

## **REMARKS**

In accordance with the present invention, claims 53, 57, 71-75 and 78-88 (16 claims) have been canceled and new claims 107-110 (4 claims) have been added. No claim has been allowed.

In the present Final Action and Advisory Action, the claims were rejected under 35 USC § 112, first paragraph, for lacking enablement over the entire scope claimed for reasons of record set forth in an earlier Office Action of August 9, 2005 and in the presently pending Action of April 28, 2006.

The present claims are submitted in replacement of the claims previously rejected and, although applicants remain convinced that the present rejection should not stand, the new claims are of a scope which the Examiner has indicated in the Advisory Action were enabled and are offered for consideration.

With respect to the presently added claims, the basis for new claim 107 can be found, for example, in the specification starting on page 48, line 24 through page 50, line 3, and in Figure 6. In addition, the basis for new claims 108-110 can be found, for example, in the specification beginning on page 44, line 25 through page 48, line 22, and in Figures 3, 4a and 4b.

These claims should be fully within the scope indicated as enabled by the Examiner in the Advisory Action, thereby removing

the only remaining grounds of rejection and, accordingly,  
putting the case in condition for allowance.

In view of the above, the Examiner is respectfully  
requested to reconsider her position, withdraw the present  
rejection and allow the claims.

Should any minor issues remain as impediments to the  
allowance of the newly presented claims, the Examiner is invited  
to contact the undersigned attorney at her convenience to  
discuss and resolve same in an effort to expedite prosecution of  
this application.

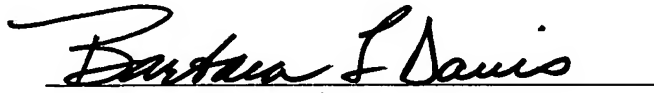
Respectfully submitted,  
NIKOLAI & MERSEREAU, P.A.

A handwritten signature in black ink, appearing to read "C. G. Mersereau". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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# **CERTIFICATE OF MAILING**

I hereby certify that the foregoing Supplemental Amendment in response to a Final Official Action dated April 28, 2006 and an Advisory Action mailed August 7, 2006, a Transmittal Letter, a Petition for a three-month extension of time, a Request for Continued Examination (RCE), together with a check in the amount of \$1,810.00 in application Serial No. 10/019,520, filed June 10, 2002, of Lakjaya Buluwela et al, entitled "CONTROL OF GENE EXPRESSION", are being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on October 24, 2006.

A handwritten signature in cursive script, reading "Barbara L. Davis", is written over a horizontal line.

Barbara L. Davis

On behalf of C. G. Mersereau

Date of Signature: October 24, 2006